

01-16-01

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D.C. 20231

Ben Trella
Ben Trella

Form 3.54 Division-continuation
program application transmittal form
37 C.F.R. 1.53(b)

JC915 U.S. PTO
09/759622
01/12/01

01/12/01
JC961 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. TRV 20011-2
Anticipated Classification
of this application:
Class _____ Subclass _____
Prior application:
Examiner: _____
Art Unit: _____

Box PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This is a request for filing a divisional application under
37 C.F.R. 1.53(b), of pending prior application Serial No.
09/040,774 filed on March 18, 1999 of Karl Tryggvason et al. for
NEPHRIN GENE AND PROTEIN.

1. XXXX Enclosed is a complete copy of the prior
application, including the oath or
declaration as originally filed and an
affidavit or declaration verifying it as a
true copy.
 - 31 pages of Specification
 - 13 pages of Sequence Listing
 - 3 pages of Claims
 - 1 page of Abstract of the Disclosure
 - 7 sheets of Drawings (Figs. 1-5b)
 - x Preliminary Amendment
2. X Small Entity Status Under 37 C.F.R. §1.9 is
hereby claimed.

3. XXXX The filing fee is calculated below.

**CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW**

Basic Fee	Small Entity	\$ 355.00	\$ 355.00
	Large Entity	\$ 710.00	
Total Claims	14 - 20 = 0	x \$18.00	\$ 00.00
		x \$ 9.00	
Indep. Claims	5 - 3 = 2	x \$40.00	\$ 80.00
		x \$80.00	

Total fee \$ 435.00

4. XXXX The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 06-0308. A duplicate copy of this sheet is enclosed.
5. XXXX A check in the amount of \$ 435.00 is enclosed.
6. XXXX Cancel in this application original claims 1-3 and 10 of the prior application before calculating the fee. (At least one original independent claim must be retained for filing purposes.)
7. XXXX Amend the specification by inserting before the first line the sentence: --This is a divisional of application Serial No. 09/040,774, filed March 18, 1999.--.
8. _____ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by §1.138 and before payment of base issue fee.)
9. XXXX Informal drawings are enclosed.
10. _____ Priority of application serial no. _____, filed on _____ in _____ is claimed under 35 U.S.C. §119.
_____ The certified copy has been filed in prior application serial no. _____, filed _____.
11. XXXX The prior application is assigned of record to Biostratum AB recorded at Reel-Frame 010776/0266.

12. XXXX The power of attorney in the prior application is to Richard J. Minnich, Reg. No. 24,175, and Brian G. Bembenick, Reg. No. 41,463, located at Fay, Sharpe, Fagan, Minnich & McKee, 1100 Superior Avenue, Suite 700, Cleveland, Ohio 44114-2518.
- a. _____ The power appears in the original papers in the prior application.
- b. XXXX Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. XXXX Address all future communications to
- Richard J. Minnich
Fay, Sharpe, Fagan, Minnich & McKee
1100 Superior Avenue
Suite 700
Cleveland, Ohio 44114-2518
13. XXXX A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.
14. XXXX I hereby verify that the attached papers including the sequence listing are a true copy of prior application serial number 09/040,774 as originally filed on March 18, 1999.

The undersigned declare further that all statements made herein of his or her own knowledge are true and that **all statements made on information and belief are believed to be true;** and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: January 12, 2001

Brian G. Bembenick
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